

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

PAUL ROSADO, JR.

Petitioner,

v.

DANIEL BURNS, SUPERINTENDENT
SCI-FOREST, *et al.*

Respondents.

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: CIVIL ACTION
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: NO. 12-cv-715
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ORDER

AND NOW, this 20th day of November 2012, upon careful and independent consideration of the Petition for a Writ of Habeas Corpus filed pursuant to 28 U.S.C. § 2254, and after review of the Report and Recommendation of United States Magistrate Judge Elizabeth T. Hey, it is hereby **ORDERED** that:

1. Petitioner's objections are **OVERRULED**.
2. The Report and Recommendation of Magistrate Judge Elizabeth T. Hey is **APPROVED** and **ADOPTED** in its entirety.
3. The Petition for Writ of Habeas Corpus is **DISMISSED WITH PREJUDICE** as untimely.
4. A certificate of appealability shall not issue. For the reasons explained in the Report and Recommendation, a reasonable jurist could not conclude the court is incorrect in dismissing the habeas petition with prejudice.

s/ William H. Yohn Jr.
William H. Yohn Jr., Judge